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| <p style="text-align: right;">50</p> <p>1 Streitman</p> <p>2 Q. What was the purpose of the</p> <p>3 interviews?</p> <p>4 A. The purpose of the interview was</p> <p>5 to, in fact, determine if Mr. Casey was</p> <p>6 going to be formally disciplined for his</p> <p>7 inappropriate behavior.</p> <p>8 Q. When did you start these</p> <p>9 interviews?</p> <p>10 A. They would have occurred in and</p> <p>11 around, I believe, November, October,</p> <p>12 November of 2001.</p> <p>13 Q. Who did you interview?</p> <p>14 A. Mr. Richard Collins, the</p> <p>15 assistant principal. I believe Dr. Kaley</p> <p>16 and I believe one of the guidance</p> <p>17 counselors, Lori, whose last name I can</p> <p>18 never pronounce correctly.</p> <p>19 Q. Haubrich?</p> <p>20 A. That would be correct.</p> <p>21 Q. Did you interview Dr. Fazio?</p> <p>22 A. I believe I did also.</p> <p>23 Q. Did you interview Mr. Dolley,</p> <p>24 Michael Dolley?</p> <p>25 A. Yes, also.</p> | <p style="text-align: right;">52</p> <p>1 Streitman</p> <p>2 for the objection?</p> <p>3 MR. SMITH: Because these are</p> <p>4 hearings that are held with counsel</p> <p>5 either in preparation of litigation or</p> <p>6 essentially a legal procedure against</p> <p>7 Mr. Casey. Counsel is present for</p> <p>8 the very reason that they are being</p> <p>9 asked to provide legal guidance and I</p> <p>10 think this is beyond the scope of</p> <p>11 discovery. I think it's</p> <p>12 confidential.</p> <p>13 MS. KRETZING: Well, you're</p> <p>14 telling me he can't say what Casey</p> <p>15 said to him? I'm not asking him for</p> <p>16 his counsel's statements. I'm just</p> <p>17 asking him for what Mr. Casey said in</p> <p>18 the meeting, that's like fact-finding.</p> <p>19 MR. SMITH: I believe it's also</p> <p>20 part of this 3202A process which is a</p> <p>21 confidential process.</p> <p>22 I'm going to direct the witness</p> <p>23 not to answer on the basis of</p> <p>24 confidentiality privilege.</p> <p>25 MS. KRETZING: Just so I have</p> |
| <p style="text-align: right;">51</p> <p>1 Streitman</p> <p>2 Q. Did he interview Dr. Schneider?</p> <p>3 A. I would say that, yes, the</p> <p>4 answer is yes.</p> <p>5 Q. Did you interview Mr. Gleason?</p> <p>6 A. No, at least not to my</p> <p>7 recollection.</p> <p>8 Q. Besides Collins, Kaley,</p> <p>9 Haubrich, Dolley, Fazio and Schneider, do</p> <p>10 you recall interviewing anyone else?</p> <p>11 A. No.</p> <p>12 Q. Did you interview Mr. Casey?</p> <p>13 A. Yes, I did.</p> <p>14 Q. Aside from the September 10th?</p> <p>15 A. I did.</p> <p>16 Q. When did that take place?</p> <p>17 A. To the best of my recollection,</p> <p>18 in November some time.</p> <p>19 Q. What did Mr. Casey tell you in</p> <p>20 that November meeting?</p> <p>21 MR. SMITH: Is this the person</p> <p>22 that had counsel?</p> <p>23 THE WITNESS: Yes.</p> <p>24 MR. SMITH: I'm going to object.</p> <p>25 MS. KRETZING: What is the basis</p> | <p style="text-align: right;">53</p> <p>1 Streitman</p> <p>2 the objection correctly, the objection</p> <p>3 is, if I asked him what Mr. Casey</p> <p>4 said, you would object to that?</p> <p>5 MR. SMITH: Yes.</p> <p>6 Q. Aside from this November</p> <p>7 meeting, did you interview Casey again?</p> <p>8 A. No.</p> <p>9 Q. So you met with him in September</p> <p>10 and you met with him in November?</p> <p>11 A. I believe it was November. The</p> <p>12 date could be incorrect.</p> <p>13 Q. Aside from yourself, who was the</p> <p>14 counsel present?</p> <p>15 A. Mr. Richard Zuckerman.</p> <p>16 Q. Who is Mr. Zuckerman?</p> <p>17 A. He is the counsel for the</p> <p>18 district. He is a member of the firm</p> <p>19 Raines and Pokerbin (phonetic).</p> <p>20 Q. What was the purpose of</p> <p>21 Mr. Zuckerman being present?</p> <p>22 A. Mr. Zuckerman was asked to be</p> <p>23 present by the district in anticipation</p> <p>24 that the conversation or situation would</p> <p>25 lead to disciplinary charges.</p> |

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| <p style="text-align: right;">54</p> <p>1 Streitman</p> <p>2 Q. Is it part of the normal charge</p> <p>3 of a school district to discipline</p> <p>4 teachers that have behaved</p> <p>5 inappropriately?</p> <p>6 MR. SMITH: Object to form, but</p> <p>7 you can answer.</p> <p>8 A. Yes.</p> <p>9 Q. Based on the charge that was</p> <p>10 made or based on the claims that had been</p> <p>11 made, was it appropriate to initiate</p> <p>12 disciplinary proceedings against</p> <p>13 Mr. Casey?</p> <p>14 MR. SMITH: I'll object to form,</p> <p>15 but you can answer it.</p> <p>16 A. Yes.</p> <p>17 Q. Did you believe there was a</p> <p>18 basis to discipline Mr. Casey as a result</p> <p>19 of the claim of his behavior with respect</p> <p>20 to Kara Tesoriero?</p> <p>21 A. Yes.</p> <p>22 MR. SMITH: We will stipulate on</p> <p>23 the record that charges were filed</p> <p>24 against Mr. Casey.</p> <p>25 Q. Let me just ask this: Was</p> | <p style="text-align: right;">56</p> <p>1 Streitman</p> <p>2 MR. SMITH: For good or bad, I</p> <p>3 might need you to come back and be</p> <p>4 deposed just on those particular</p> <p>5 issues. Okay?</p> <p>6 THE WITNESS: Okay.</p> <p>7 MS. KRETZING: I'm going to ask</p> <p>8 the witness about Plaintiff's 1 and 2</p> <p>9 now. Mr. Casey produced these</p> <p>10 himself.</p> <p>11 MR. SMITH: I understand that.</p> <p>12 MS. KRETZING: All right. We</p> <p>13 don't have a problem with that?</p> <p>14 MR. SMITH: No.</p> <p>15 Q. Dr. Streitman, I'm showing you</p> <p>16 what we marked at another deposition as</p> <p>17 Plaintiff's Exhibit 1 entitled "Settlement</p> <p>18 Agreement." Have you ever seen this</p> <p>19 document before?</p> <p>20 (Handing.)</p> <p>21 A. (Perusing.)</p> <p>22 I have.</p> <p>23 Q. Did you play some role in the</p> <p>24 formulation of this document?</p> <p>25 A. I did.</p> |
| <p style="text-align: right;">55</p> <p>1 Streitman</p> <p>2 Mr. Casey charged with insubordination?</p> <p>3 A. No.</p> <p>4 Q. How many charges were filed</p> <p>5 against Mr. Casey by the school district?</p> <p>6 MR. SMITH: Again, that's the</p> <p>7 same thing. You're asking him to --</p> <p>8 we don't have a ruling on this issue</p> <p>9 and until we do, I'm going to direct</p> <p>10 the witness not to answer.</p> <p>11 MS. KRETZING: We could do one</p> <p>12 of two things. We could call the</p> <p>13 Magistrate. I feel like every</p> <p>14 deposition I have to call the</p> <p>15 Magistrate. Or we could do it on</p> <p>16 papers, but I don't want to have -- I</p> <p>17 would like to bring the witness back</p> <p>18 if I get the information that I want.</p> <p>19 MR. SMITH: The possibility</p> <p>20 exists because of this 3202A situation</p> <p>21 that you may be required by the</p> <p>22 Magistrate to just come back and</p> <p>23 discuss those particular charges. Do</p> <p>24 you understand that?</p> <p>25 THE WITNESS: Yes.</p> | <p style="text-align: right;">57</p> <p>1 Streitman</p> <p>2 Q. What role did you play?</p> <p>3 A. Providing information to the</p> <p>4 district's counsel.</p> <p>5 Q. To your knowledge, was this</p> <p>6 document signed by the school district?</p> <p>7 A. Yes.</p> <p>8 Q. Who signed it on behalf of the</p> <p>9 school district?</p> <p>10 A. I believe district counsel.</p> <p>11 Q. Do you recall when it was signed</p> <p>12 by district counsel?</p> <p>13 A. I do not.</p> <p>14 Q. Was this approved by Board</p> <p>15 resolution?</p> <p>16 A. I believe so.</p> <p>17 Q. Is that a resolution? It's a</p> <p>18 written resolution, correct?</p> <p>19 A. Yes.</p> <p>20 Q. Do you recall when it was</p> <p>21 produced or approved?</p> <p>22 A. I do not.</p> <p>23 MS. KRETZING: I'd ask that the</p> <p>24 Board resolution approving this</p> <p>25 settlement agreement be produced.</p> |